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CONFIDENTIAL: FOR  
SETTLEMENT PURPOSES ONLY

Sweeny Refinery  
P. O. Box 866  
Sweeny, Texas 77480

June 22, 2004

CERTIFIED MAIL #7003 1010 0001 8384 6754 6723

Kenneth G. Long, Esq.  
Environmental Enforcement Section  
Environment & Natural Resources Division  
U.S. Department of Justice  
Ben Franklin Station  
P.O. Box 7611  
Washington, D.C. 20044-7611

Re: **Proposed Draft Consent Decree in Settlement of ConocoPhillips Company  
Enforcement Matter; Brazoria County, Texas**

Dear Mr. Long:

In furtherance of the ConocoPhillips Company's request to omit the ordering provisions of the draft proposed consent decree relating to the new pipeline for wastewater discharges from the Sweeny Refinery, this letter provides additional information regarding the status of the pipeline.

The pipeline traverses a variety of properties, starting with the Sweeny Refinery near Old Ocean, Texas and moving toward the east, and it terminates at an outfall to the Brazos River Tidal segment of the Brazos River Basin. Construction of the pipeline was completed in January 2004. The Texas Pollutant Discharge Elimination System ("TPDES") permit for this new outfall (Outfall 011) was issued by the Texas Commission on Environmental Quality on April 6, 2004. Under the authority of the new TPDES permit, discharges of treated effluent from Outfall 011 commenced on April 15, 2004. Discharges of treated effluent through Outfall 001, a former outfall for treated process water, ceased on April 20, 2004. Discharge Monitoring Reports ("DMRs") for the new discharge point have been prepared since discharges commenced. The DMRs cover the time period from April 15, 2004 through May 31, 2004. These DMRs were submitted to the U.S. EPA by transmittal letter dated June 16, 2004. We are happy to provide a copy of the TPDES permit, if you wish.

If you have any questions regarding the completion of the pipeline or the commencement of discharge to the new outfall by way of this pipeline, please let us know. We appreciate the government's efforts toward resolution of this matter.

Sincerely,

Tom Rich, General Manager  
Sweeny Refinery

cc: Marcia Moncrieffe, Esq., U.S. EPA  
David Duncan, Esq., ConocoPhillips  
Cindy Smiley, Esq., Kelly, Hart & Hallman

